

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**CYNTHIA RICE, Individually, and as  
Surviving Spouse and Next of Kin to  
CHRISTOPHER RICE, Deceased,**

**Plaintiff,**

**vs.**

**HUNT CONSTRUCTION GROUP,  
INC., MCHUGH CONCRETE  
CONSTRUCTION, INC., HARCON,  
INC., and  
MAXIM CRANE WORKS, L.P.,**

**Defendants.**

**Docket No. 3-23-CV-00150**

**FINAL ORDER APPROVING INTESTATE DISTRIBUTION  
OF COMPROMISED SETTLEMENT TO MINOR**

Came the parties, by and through counsel, on the 29th day of March, 2024, for hearing on a Joint Petition for Court Approval of Minor's Intestate Distribution of Compromised Settlement and approval of a compromised settlement agreement in the above-captioned matter. Based on the sworn testimony before this Court, statements of the counsel and a review of this Court's record, this Court finds as follows:

1. That on June 17, 2022, Cynthia Rice was the lawful spouse of, and was married to Christopher Rice. Furthermore, Cynthia Rice and Christopher Rice were the parents of Kathryn Rice and Hadley Rice, minors.
2. All parties submit to the jurisdiction and venue of this court.
3. On June 17, 2022, Christopher Rice was involved in an incident in Davidson County, Tennessee. Christopher Rice died as a result of that incident.



4. On June 17, 2022, minor petitioner, Kathryn Rice, was not yet born based on a date of birth of September 26, 2022.

5. On June 17, 2022, minor petitioner, Hadley Rice, was 6 years of age based on a date of birth of April 30, 2016.

6. Other than Cynthia Rice, Hadley Rice, and Kathryn Rice, there are no other intestate heirs of Christopher Rice.

7. That as a result of compromised negotiations, Cynthia Rice, as surviving spouse and next of kin of Christopher Rice and as the surviving parent of Hadley Rice and Kathryn Rice, minors, by and through legal counsel, agreed to resolve the wrongful death claim of Christopher Rice in the amount of One Million Nine Hundred Fifty Thousand and 00/100 Dollars (\$1,950,000.00), which Cynthia Rice, as surviving spouse of Christopher Rice and as the parent of Hadley Rice and Kathryn Rice, believes to be in the best interests of the minor petitioners.

8. Pursuant to Tenn. Code Ann. § 31-2-104(a)(2), the surviving spouse's intestate share is no less than one-third (1/3) with the children to receive one-third (1/3) each. Each child's intestate share will be deposited into irrevocable trust accounts established by Plaintiff for their benefit.

9. The parties, pursuant to Tenn. Code Ann. § 20-5-106<sup>1</sup>, herein seek this Court's approval of the distribution of the net settlement proceeds to Cynthia Rice, as surviving spouse and next of kin of Christopher Rice and Hadley Rice and Kathryn Rice as the lawful heirs of Christopher Rice.

**THEREFORE**, it is hereby:

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<sup>1</sup> Any reference to T.C.A. § 20-5-106 herein shall be taken, alternatively, as a reference to T.C.A. § 29-34-105. The Court acts herein under the authority of either or both statutes without determining which statute(s) apply here. In any event, the Court and parties agree that this Court has authority to approve this settlement.



**ORDERED, ADJUDGED and DECREED** that the Joint Petition for Court Approval of the Intestate Distribution to the Minors is well taken and it is approved in all respects by this Court as it appears to be in the best interests of the minors; It is further,

**ORDERED, ADJUDGED and DECREED** that The Harford Financial Services Group, Inc, as the commercial liability insurance carrier of the defendants and shall on behalf of the defendants, pay to Cynthia Rice, as surviving spouse of Christopher Rice the sum of \$419,418.29, Hadley Rice, a minor the sum of \$419,418.29, and Kathryn Rice, a minor, the sum of \$419,418.29, subject to Tenn. Code Ann. §§ 31-2-104. The proceeds shall be paid to Cynthia Rice. However, each minor child's intestate share of the net settlement proceeds shall be deposited into the minors' trust accounts as specified below and shall be maintained for the health, education and welfare of the minors.

As part of the motion to approve the minor's settlement, it is requested that in accordance with Tennessee Code Annotated section 20-5-106(b) this Court find it is in the best interest of the minors that their proceeds from the settlement be added to the irrevocable trusts established for their respective benefit. The minors' mother, Cynthia Rice, created the Hadley E. Rice Irrevocable Trust and Kathryn J. Rice Irrevocable Trust (DE 62-2 and 62-3). The trusts are strictly for the benefit of each minor and provide protection for their funds. Cynthia Rice will serve as a co-trustee with First Bank, while another entity is named as a successor, if needed. The trusts ensure the funds are free from the claims of creditors and have distribution standards for the funds.

It is requested that this Court order the distribution of each minor's intestate share of the settlement to their respective trusts and held and administered as described in the trusts. The proceeds shall become the exclusive property of each minor upon each minor attaining the age of 18. It is further,



**ORDERED, ADJUDGED and DECREED** that upon tender and payment of the compromised settlement proceeds herein by The Hartford Financial Services Group, Inc. on behalf of Hunt Construction Group, Inc., Maxim Crane Works, L.P., McHugh Concrete Construction, Inc. and Harcon, Inc. pursuant to this final order, Hunt Construction Group, Inc., Maxim Crane Works, L.P., McHugh Concrete Construction, Inc. and Harcon, Inc. and The Hartford Financial Services Group, Inc., shall be released and discharged from any and all further and future liability and responsibility in regard to the incident that occurred on June 17, 2022, and any and all claims or actions concerning Christopher Rice, Cynthia Rice, Hadley Rice, Kathryn Rice, resulting from the incident on June 17, 2022.

The parties further announced that they have complied with Tennessee Code Annotated §71-5-117, by confirming that there are no State interest subrogation claims or by arranging for payment of same.

IT IS SO ORDERED.

  
ELI RICHARDSON  
UNITED STATES DISTRICT JUDGE



**APPROVED FOR ENTRY:**

By: /s/ Cynthia Rice  
Cynthia Rice, as surviving spouse of  
Christopher Rice and as natural parent of  
Hadley Rice and Kathryn Rice, minors

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